

On August 8, 1930, the J. A. Long Co., Portland, Ind., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$4,500, or the deposit of cash collateral in like amount, conditioned in part that it be repacked in tubs and labeled with a correct statement of the quantity of the contents.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17546. Adulteration and misbranding of oat middlings. U. S. v. 500 Sacks and 540 Sacks of Alpine Oat Middlings. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24833. I. S. Nos. 037907, 037908. S. No. 3167.)

Samples of feed labeled as oat middlings from the herein described shipment having been found to contain ground oat hulls and less protein and more crude fiber than declared on the label, and in a certain portion less fat than so declared, the Secretary of Agriculture reported the matter to the United States attorney for the District of Columbia.

On June 11, 1930, the said United States attorney filed in the Supreme Court of the District of Columbia, holding a District Court, a libel praying seizure and condemnation of 1,040 sacks of alleged oat shorts, remaining in the original unbroken packages at Washington, D. C., alleging that the article had been shipped by the Sheffield Elevator Co., from Milwaukee, Wis., on or about May 26, 1930, and had been transported from the State of Wisconsin into the District of Columbia, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Alpine Oat Middlings By-Product of Oatmeal Mill. Guaranteed Analysis Protein 14%, Fat 4%, Fibre not over 9%. Contains oat middlings, oat shorts and a very small percentage of oat hulls." A portion of the said article was further labeled: "Manufactured by Sheffield Elevator Co., Minneapolis, Minn."

It was alleged in the libel that the article was adulterated in that a substance, oat hulls, had been mixed and packed with and substituted in part for oat middlings, which the said article purported to be.

Misbranding was alleged for the reason that the statements on the label, "Guaranteed Analysis Protein 14%, * * * Fibre not over 9%," with respect to a portion of the product, borne on the label, were false and misleading and deceived and misled the purchaser, when applied to an article deficient in protein and containing a larger percentage of fibre than stated, and the statements, "Guaranteed Analysis Protein 14% Fat 4% Fibre not over 9%," with respect to the remainder of the product, were false and misleading and deceived and misled the purchaser when applied to an article deficient in protein and fat, and which contained excessive fiber. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On July 31, 1930, E. J. Quinn, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it should not be sold or otherwise disposed of contrary to the law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17547. Adulteration and misbranding of cottonseed meal. U. S. v. 360 Bags of Cottonseed Meal. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24579. I. S. No. 012421. S. No. 2908.)

Samples of the product labeled as cottonseed meal from the herein described interstate shipment having been found to be cottonseed feed containing less protein and fat and more fiber than declared on the label, the Secretary of Agriculture reported the matter to the United States attorney for the District of Maryland.

On March 3, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 360 bags of cottonseed meal, remaining in the original unbroken packages at Cumberland, Md., alleging that the article had been shipped by the F. W. Brode Corporation, Memphis, Tenn., from Decatur, Ala., on or about January 10, 1930, and had been transported from the State of Alabama into the State of Maryland, and charging adulteration and misbranding in violation of